

03/01/02
1135 U.S. PTO

03-04-02

Docket No. 356A PCT/USC1

A

REQUEST FOR FILING A CONTINUATION PATENT APPLICATION UNDER 37 CFR 1.53(b)(1)

Box Patent Application
Assistant Commissioner for Patents
Washington, DC 20231

This is a request for filing a (X) continuation application under 37 CFR 1.53(b), of pending prior application Serial No. 09/367,170 filed on August 9, 1999, of:

Inventor(s) : Franklin Cerasoli, Jr. of 101 Blanchette Drive, Marlborough, MA, 01752, USA
Title : Expression of Proteins for Treating Asthma Via Ligand Mediated Activation of Their Encoding Genes

- [X] 53 Sheets of Specification, 2 Sheets of Claims, 1 page Abstract of the Disclosure,
[X] Preliminary Amendment, 1 page
[X] Verified Small Entity Statement, 1 page [X] Return receipt postcard
[X] Declaration and Power of Attorney of 09/367,170, 2 pages
[X] Recorded Assignment and Corrected Recorded Assignment of 09/367,170, 9 pages
[X] Copy of a Petition for a Five-month Extension of Time which was filed on March 1, 2002, in the parent application Serial No. 09/367,170, 4 pages

I hereby verify that the attached papers are a true copy of the prior application Serial No. 09/367,170 originally filed on August 9, 1999. The prior application is assigned to ARIAD Gene Therapeutics, Inc.

The filing fee has been calculated as shown below:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE				\$ 740.00
TOTAL CLAIMS	12 - 20 =	0	0 x 18 =	\$ 0.00
INDEP CLAIMS	3 - 3 =	0	0 x 84 =	\$ 0.00
[X] MULTIPLE DEPENDENT CLAIM PRESENTED			\$280.00	\$280.00
TOTAL (if Large Entity)				\$1020.00
TOTAL (if Small Entity)				\$ 510.00

- [X] Please charge **Deposit Account No. 01-2315** for small entity status in the amount of **\$510.00**.
[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-2315. A duplicate copy of this letter is enclosed.
[X] Any additional filing fees required under 37 CFR 1.16.
[X] Any patent application processing fees under 37 CFR 1.17.

Date

March 1, 2002

Respectfully submitted,

David L. Bernstein

David L. Bernstein, Reg. No. 31,235
ARIAD Gene Therapeutics, Inc.
26 Landsdowne Street
Cambridge, MA 02139
Telephone: 617-494-0400 Ext. 266
Facsimile: 617-494-0208

Express Mail Label **ET077987364US** Date of mailing **March 1, 2002**
I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" under 37 CFR §1.10 on the date indicated above and is addressed to: Box Patent Application, Assistant Commissioner of Patents, Washington, DC 20231.

Signed:

Sue Wilson
Sue Wilson

10/087286
03/01/02

In The United States Patent And Trademark Office

Applicants : Cerasoli

Serial No. : -----

Filed. : herewith

Art Unit : -----

For : **Expression of Proteins for Treating Asthma Via Ligand Mediated Activation of Their Encoding Genes**

Assistant Commissioner for Patents
Washington, DC 20231

Preliminary Amendment

Please insert the following on page 1 of the application, after the title and before "Field of the Invention":

-- **Related Applications**

This application is a continuation application of USSN 09/367,170, filed August 9, 1999, which claims the priority benefit of International Application PCT/US97/22454, filed December 9, 1997, which in turn claims the priority benefit as a continuation in part of USSN 60/032,260, filed December 9, 1996. The full contents of all the foregoing patent applications are hereby incorporated herein by reference. ---

Certificate of Mailing **3/1/02**
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Signed: Sue Wilson

Respectfully submitted,

David L. Berstein

David L. Berstein
Reg. No. 31,235

ARIAD Pharmaceuticals, Inc.
26 Landsdowne Street
Cambridge, MA 02139-4234
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COPY

356A PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cerasoli
USSN : 09/367,170
Filed : August 9, 1999
Grp Art Unit : 1632
For : Expression of Proteins for Treating Asthma Via Ligand Mediated Activation of Their Encoding Genes

Jc971 U.S. PTO
10/087286
03/01/02

March 1, 2002

Assistant Commissioner for Patents
Washington, DC 20231
703-308-4724 (fax)
812-9307

PETITION FOR A FIVE-MONTH EXTENSION OF TIME

Applicants hereby petition for a five-month extension of time pursuant to 37 CFR 1.136(a), to and including March 1, 2002, in which to file a Continuation Application in lieu of responding to the Advisory Action in the above identified application.

Authorization is hereby given to charge the fee of \$980.00 for such extension, and to charge any deficiency and credit any overpayment, to Deposit Account No. 01-2315.

Respectfully submitted,

Date:

3/1/02

David L. Bernstein

David L. Bernstein, Reg. No. 31,235
ARIAD Pharmaceuticals, Inc.
26 Landsdowne Street
Cambridge, MA 02139
(617) 494-0400 Ext. 266

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Group 1600 at 703-308-4724 on March 1, 2002.

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Date March 1, 2002

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Sue Wilson

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TO: US Patent & Trademark Office
Group Art Unit 1632
Examiner J. Weitach

703-872-9307

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FROM: David L. Bernstein
ARIAD Pharmaceuticals, Inc.
26 Landsdowne Street
Cambridge, MA 02139

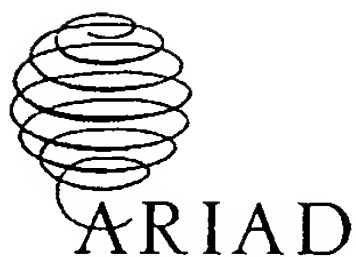
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TELEPHONE NO.: 617-494-0400

FACSIMILE MESSAGE

Attached please find a Petition for a Five-Month Extension of Time.

Application Number	: 09/367,170
Filing Date	: August 9, 1999
Group Art Unit	: 1632
Applicant	: Cerasoli
Title	: Expression of Proteins for Treating Asthma Via Ligand Mediated Activation of Their Encoding Genes

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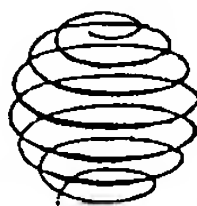
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